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Paper No. 21

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MAY 24 2004

In re Application of
YAMADA et al.
Application No. 09/871,309
Filed: May 30, 2001
Attorney Docket No. MAT-8140US

DECISION ON PETITION

This is a decision on the petition filed January 21, 2004, requesting that the holding of abandonment in the above-identified application be withdrawn.

The petition to withdraw the holding of abandonment is GRANTED.

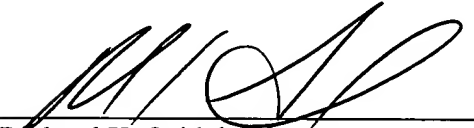
A Final Office action was mailed on April 4, 2003, setting forth a three-month period of response.

Petitioner asserts that a Request for Continued Examination (RCE) was timely filed on June 13, 2003 as evidenced by copies of the request for a RCE and the postcard receipt indicating receipt of the RCE and a check in the Patent and Trademark Office.

A review of the PALM database reveals that fees for the RCE was paid by check on June 13, 2003. However, the RCE was not matched with the file and consequently the application was held to be abandoned. The application is not abandoned in fact.

For the above reasons, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Inconvenience to petitioner is regretted.

The application file is being forwarded to the technical support staff for processing the response to the April 4, 2003 Office action. From there, it will be returned to the examiner for further prosecution.



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